

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TIMOTHY B. WHITMORE,

Plaintiff,

v.

PIERCE COUNTY DEPARTMENT OF  
COMMUNITY CORRECTIONS *et al.*,

Defendants.

Case No. C05-5265RBL

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff may not seek release from jail in a civil rights action. The motion for injunctive relief is **DENIED..**
- (3) Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold.

DATED this 28<sup>th</sup> day of June, 2005.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE